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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Federal Trade Commission,

Plaintiff,

vs.

ELH Consulting, LLC, *et al.*,

Defendants.

CV-12-2246-PHX-FJM

**[PROPOSED] STIPULATED ORDER
MODIFYING THE RECEIVERSHIP
TO INCLUDE CERTAIN ASSETS OF
DEFENDANTS EMORY L. HOLLEY
IV a/k/a/ JACK HOLLEY and LISA
MILLER**

Plaintiff Federal Trade Commission (“FTC”); Defendants Emory L. Holley IV a/k/a Jack Holley and Lisa Miller (Stipulating Defendants”); and Receiver, Peter S. Davis (“Receiver”), have agreed to entry of this Order modifying the Receivership to include certain assets of Emory L. Holley IV and Lisa Miller in the Receivership estate (“Stipulated Order”).

NOW THEREFORE, Plaintiff, Emory L. Holley IV, Lisa Miller, and Receiver, Peter S. Davis, having requested the Court to enter this Stipulated Order, and the Court having considered the agreement reached between the parties to this request, **IT IS HEREBY ORDERED** that the Receivership established by the Temporary Restraining Order entered in this matter on October 22, 2012, and continued by the Preliminary Injunction entered in this matter on March 12, 2013, is modified so that all assets, including all real and personal property titled in the name

1 of or beneficially owned or controlled by the Stipulating Defendants, including all
2 real and personal property titled in the name of Forced Performance, LLC, and
3 Fastline, LLC, and stock and mutual fund accounts in the names of Taylor Holley
4 and Devin Holley, are property of the Receivership estate and will be liquidated by
5 the Receiver, *provided that*, the Receivership estate will not include: (1) the real
6 property and improvements located at 1985 N. El Dorado Ct., Chandler, AZ 85224
7 (“El Dorado property”); (2) the real property and improvements located at 2708 W.
8 Palomino Dr., Chandler, AZ 85224 (“Palomino property”), which property has been
9 referred to foreclosure and will be sold at auction, *provided that*, any excess
10 proceeds from the sale of the Palomino property will be included in the
11 Receivership; (3) the 2013 Scion, the 2013 Honda Odyssey, and the 2013 Suzuki
12 Grsx 1000 owned by Lisa Miller, *provided that*, these vehicles are to be disposed of
13 within thirty (30) days from the date of entry of the Order Modifying the
14 Receivership and any proceeds from the sale of these vehicles is included in the
15 Receivership estate; (4) the vehicles described in Attachment A to the proposed
16 order modifying Receivership that comprise the inventory of Defendant Holley’s
17 auto repair business; (5) Stipulating Defendants’ current income; and (6) the
18 contents of the Palomino property. These assets, set forth above, shall be the only
19 assets of the Stipulating Defendants that shall be excluded from the Receivership
20 estate.

ATTACHMENT A

1. 2001 Ford Excursion VIN# FMSU43F01EC64615
2. 2004 Toyota MR2 Spyder VIN# JTDFR320140067839
3. 1985 Toyota pickup truck VIN# JT4RN60R1F5062531
4. 2004 KTM 625 LC4 VIN# VBKEXN4014M773887
5. 1986 Honda Rebel VIN# JH2PC1702GM000769
6. 1986 Honda Rebel VIN# JH2MC1316GK103237
7. 2001 Porsche 911 body VIN# WPOAB29931S685323
8. 1998 BMW 540i VIN# WBADE5327WBV93444
9. 2005 Pace ATV
10. 2006 Kawasaki
11. 2007 Pace ATV
12. 1998 Kawasaki
13. 2008 Yamaha
14. 2009 Polaris
15. 2000 Kawasaki
16. 2007 Honda CRF250
17. 2010 Honda CRF450